

EXHIBIT A

Page 1	Page 3
<p>1 UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF DELAWARE 3 4 S.O.I.TEC SILICON ON INSULATOR) 5 TECHNOLOGIES S.A. and) 6 SOITEC USA, INC.,) 7 Plaintiffs and) 8 Counterclaim) 9 Defendants,) 10 vs.) Civil Action No.:05806-KAJ 11) 12 MEMC ELECTRONIC MATERIALS, INC.) 13) 14 Defendants and) 15 Counterclaim Plaintiff.) 16 17 VIDEOTAPED DEPOSITION OF EDWARD HEJLEK 18 TAKEN BY MICHAEL BRODY 19 ON BEHALF OF THE PLAINTIFF 20 OCTOBER 23, 2007 21 22 (Attorney's Eyes Only) 23 24 REPORTED BY CINDY R. MESSINA 25 CERTIFIED SHORTHAND REPORTER CERTIFIED COURT REPORTER</p>	<p>1 APPEARANCES: 2 3 ON BEHALF OF THE PLAINTIFFS AND 4 COUNTERCLAIM DEFENDANT SOITEC: 5 6 Winston & Strawn LLP 7 Mr. Michael Brody, Esq. 8 35 West Wacker Drive 9 Chicago, Illinois 60601 10 11 ON BEHALF OF THE DEFENDANT AND 12 COUNTERCLAIM PLAINTIFF MEMC: 13 14 Senniger Powers 15 Mr. Mark Vander Tuig, Esq. 16 Mr. Robert Evans, Esq. 17 One Metropolitan Square 18 16th Floor 19 St. Louis, Missouri 63102 20 21 ON BEHALF OF THE PLAINTIFFS AND 22 COUNTERCLAIM DEFENDANT SOITEC: 23 24 Jacques Blie Levy 25 Parc technologique des Fontaines Berrin 38926 Crolles Cedex, France ON BEHALF OF THE PLAINTIFFS AND COUNTERCLAIM DEFENDANT SOITEC: Edwards, Angell, Palmer & Dodge LLP Mr. George W. Neuner 101 Federal Street Boston, Massachusetts 02110 Also present: Richard Brophy, Esq.</p>
Page 2	Page 4
<p>1 UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF DELAWARE 3 4 S.O.I.TEC SILICON ON INSULATOR) 5 TECHNOLOGIES S.A. and) 6 SOITEC USA, INC.,) 7 Plaintiffs and) 8 Counterclaim) 9 Defendants,) 10 vs.) Civil Action No.:05806-KAJ 11) 12 MEMC ELECTRONIC MATERIALS, INC.) 13) 14 Defendants and) 15 Counterclaim Plaintiff.) 16 17 DEPOSITION OF EDWARD HEJLEK, produced, 18 sworn, and examined on the 23rd day of October, 2007, at 19 the Offices of Senninger Powers, One Metropolitan Square, 20 16th Floor, in the City of St. Louis, State of Missouri, 21 before Cindy R. Messina, Certified Court Reporter within 22 and for the State of Missouri, in a certain cause now 23 pending in The United States District Court For the 24 District of Delaware, S.O.I.Tec Silicon on Insulator 25 Technologies S.A. and SOITEC USA, Inc., Plaintiffs and Counterclaim Defendants, vs. MEMC Electronic Materials, Defendant and Counterclaim Plaintiff.</p>	<p>1 INDEX 2 WITNESSES 3 Page 4 EDWARD HEJLEK FOR DEFENDANT 5 Direct Examination by Mr. Brody 6:2 6 EXHIBITS 7 For Plaintiff: 8 2 Amended Notice of Deposition that 9 Was filed in Delaware Court on 10 October 19, 2007 11 Identified 12:20 12 13 3 Copy file history that led to the 14 302 patent, United States Patent 15 5919302 16 Identified 43:23 17 4 Copy of the prosecution history for 18 the 104 patent 19 Identified 119:24 20 5 Document bearing Bates Numbers 21 SP01254 through 1292 22 Identified 123:2 23 6 Document bearing Bates Numbers 24 SP01413 through SP01418, Senninger 25 Powers Time Records Identified 123:5 7 Privilege log provided by MEMC Identified 127:9 8 MEMC's Responses to SOITec's First Set of Interrogatories Identified 149:8 9 United State's Patent File History 6236104 Prior Art, Volume 2 Identified 189:1 10 United States Patent 6287380</p>

1 (Pages 1 to 4)

Page 5	Page 7
<p>1 2 11 United States Patent 6254672 3 12 Identified 198:5 4 12 United States Patent Number 5937312 5 Identified 201:13 6 7 13 United States Patent 6284384 8 Identified 208:22 9 14 United States Patent 5024723 issued 10 to Ulrich Gosele 11 Identified 43:23 12 Identified 229:4 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 MR. LEVY: Jacques Levy, General Counsel, 2 Soitec. 3 MR. VANDER TUIG: Mark Vander Tuig on 4 behalf of MEMC and Senniger Powers. 5 MR. EVANS: Robert Evans, Senniger Powers, 6 here on behalf of Defendant Counter-Claim Plaintiff MEMC. 7 THE VIDEOGRAPHER: Would the court 8 reporter please swear in the witness. 9 EDWARD HEJLEK, 10 of lawful age, being first duly sworn to tell the truth, 11 the whole truth and nothing but the truth deposes and 12 says as follows: 13 DIRECT EXAMINATION 14 BY MR. BRODY: 15 Q. Good morning, Mr. Hejlek. 16 A. Good morning. 17 Q. We introduced ourselves earlier. I think 18 you know my name is Michael Brody and I'm here on behalf 19 of Soitec for the plaintiff in this case. Do you 20 understand that? 21 A. I do. 22 Q. And you understand that this is a lawsuit 23 in which Soitec has sought a declaration of invalidity 24 and not infringement with respect to one of MEMC's 25 patents; right?</p>
Page 6	Page 8
<p>1 2 STIPULATION 3 IT IS HEREBY STIPULATED AND AGREED by and between 4 counsel for the parties that this deposition may be taken 5 in shorthand by Cindy R. Messina, Certified Court 6 Reporter, and afterwards transcribed into printing, and 7 signature by the witness is not waived. 8 THE VIDEOGRAPHER: On record, Tuesday, 9 October 23rd, 2007. The time is 9:10 a.m. My name is 10 Tim Sheehan, Certified Legal Video Specialist associated 11 with the Esquire Deposition Services. The court reporter 12 is Cindy Messina, also associated with Esquire Deposition 13 Services. 14 We are taking the deposition of Edward 15 Hejlek in the case of S.O.I.Tec Silicon On Insulator 16 Technologies S.A. and SOITech USA, Incorporated versus 17 MEMC Electronic Materials, Inc., pending in the United 18 States District Court for the District of Delaware, Case 19 No. 105-CV-00806. 20 Would counsel please introduce themselves, 21 starting with Plaintiff's counsel. 22 MR. BRODY: Michael Brody, Winston and 23 Strawn for Plaintiff Soitec. 24 MR. NEUNER: George Neuner, Edwards, 25 Angell, Palmer & Dodge, also fo Plaintiff Soitec.</p>	<p>1 A. I do. 2 Q. You understand that you're here today not 3 in your individual capacity, but speaking on behalf of 4 your law firm and MEMC? 5 A. Correct. 6 Q. Okay. And that is to say Senniger Powers 7 and MEMC Electronic Materials; right? 8 A. Correct. 9 Q. Could you state your name and spell your 10 name for the record? 11 A. Sure, Edward J. Hejlek, H-E-J-L-E-K. 12 Q. And do you reside in the St. Louis area? 13 A. I do. 14 Q. Okay. And so you would not be amenable to 15 subpoena in the District Court of Delaware; is that 16 correct? 17 A. I reside in Kirkwood. I'll leave it -- 18 for whatever that means. 19 Q. Okay. And I take it if Soitec were to ask 20 you to appear at trial you would be inclined not to 21 respond -- not to agree to it? Would you agree to appear 22 at trial if Soitec were to request you to do so? 23 A. I would consider it when asked, but I have 24 not been asked. 25 Q. I think you mentioned before we started</p>

2 (Pages 5 to 8)

<p>Page 149</p> <p>1 certainly do not recall it. Can I say categorically he 2 did not? No, I don't recall that. 3 MR. BRODY: Let's mark this as Exhibit 8. 4 (Plaintiff's Deposition Exhibit 8 was 5 marked for identification.) 6 Q. (By Mr. Brody) Mr. Hejlek, I have had the 7 court reporter mark as Plaintiff's Deposition Exhibit 8 8 MEMC's Responses to Soitec's First Set of Interrogatories 9 No. 1 through 16, which is a 16-page document. Do you 10 have that document in front of you, sir? 11 A. I do. 12 Q. Can you turn to Page 6 of the document. 13 And Interrogatory 5 requests, "For each invention covered 14 by each asserted claim," and in this case I believe the 15 asserted claims are 1, 9 and 10 of the 104 patent. 16 "describe in detail the conception of the invention, 17 reduction of the invention to practice, and diligence in 18 reducing the invention to practice." 19 And then MEMC interposes some objections. 20 And then on Page 7 the response states, "Dr. Robert J. 21 Falster conceived of the invention covered by claims 1 22 and 9 prior to a meeting with Soitec on October 30, 1996. 23 Dr. Falster had previously conceived and reduced to 24 practice a CZ silicon wafer containing an axially 25 symmetric region substantially free of agglomerated</p>	<p>Page 150</p> <p>1 intrinsic point defects where the predominate intrinsic 2 point defect was interstitial. Dr. Falster believed such 3 a wafer would provide better performance than the wafers 4 used by the integrated circuit industry. In advance of 5 his meeting with Soitec on October 30, 1996 Dr. Falster 6 knew that Soitec's primary product at the time was the 7 S.O.I. product. Dr. Falster conceived of using his CZ 8 silicon wafer as the donor wafer to provide the device 9 layer in the Soitec S.O.I. product prior to the meeting. 10 This was a conception of claims 1 and 9." 11 Do you see that passage? 12 A. I see that. 13 Q. Is that something you were told by Dr. 14 Falster during the course of the 104 prosecution? 15 A. No. 16 Q. Okay. Is reading it today, is that the 17 first time you became aware of that description of the 18 conception of those claims? 19 A. No. 20 Q. When did you first learn that those were 21 the circumstances under which the invention was 22 conceived? 23 A. Subsequent to the issuance of the 104 24 patent it was somehow brought to my attention that Soitec 25 notified sales people, customers, that sort of thing,</p>	<p>Page 151</p> <p>1 that there was a question about inventors. 2 Q. Okay. Do you recall that happening in 3 connection with the filing of this lawsuit? 4 A. No, it predated. 5 Q. Well, the patent issued in May of 2001, 6 and the complaint and the lawsuit was filed, I believe, 7 in 2005. So I take it it was someplace between those two 8 events? 9 A. Correct. 10 Q. Who told you about Soitec, Soitec's 11 claims? 12 A. I do not recall. 13 Q. Do you recall what customers were 14 involved? 15 A. No. 16 Q. Did -- was Mr. Falster the one who 17 described to you the circumstances under which he 18 conceived the invention, or did somebody relay to you 19 what he had told them? 20 MR. VANDER TUIG: I'll object to the 21 extent that it calls for disclosure of attorney/client 22 communications. 23 MR. BRODY: Well -- 24 A. I can answer the question without 25 getting into that. I had direct conversations with Bob</p>	<p>Page 152</p> <p>1 Falster. 2 Q. (By Mr. Brody) Okay. Did Mr. Falster, 3 did his description of the conception of the invention 4 differ in any way from what's disclosed in MEMC's 5 Interrogatory Response to Interrogatory No. 5? 6 A. What is described here is consistent with 7 what my recollection is. 8 Q. Did he give you additional information 9 about the conception? 10 MR. VANDER TUIG: Object to the extent it 11 calls for disclosure of attorney/client communication. 12 MR. BRODY: That question I don't think 13 calls for disclosure of any substance. I'm just asking 14 if there was any additional substance disclosed, not what 15 it was, although that's going to be my next question. 16 A. Yes, he shared more than what's here with 17 me. 18 Q. (By Mr. Brody) What else did he share with 19 you? 20 MR. VANDER TUIG: Object, calls for 21 disclosure of attorney/client communication. 22 MR. BRODY: Well, setting aside whether it 23 does or it doesn't, I don't see how it can be privileged 24 if half of the communication has been disclosed already. 25 You can't disclose part of a communication and not the</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

38 (Pages 149 to 152)